

3682 U.S. PAT. TRANSMITTAL

Only for new nonprovisional applications under 37.1.53(b)

Attorney Docket No.18617.NEW

First InventorScott, et al

TitleRecombinant Multivalent Viral Vaccines

Express Mail Label No.EE209745965US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Assistant Commissioner for Patents

ADDRESS TO: Box Patent Application

Washington, D.C. 20231

1. ☒ Fee Transmittal Form

(Submit an original, and a duplicate for fee processing)

2. ☒ Applicant claims small entity status.

See CFR 1.27.

3. ☒ Specification

[Total Pages / 43 /]

(preferred arrangement set forth below)

- Descriptive title of the invention

- Cross Reference to Related Applications

- Statement Regarding Fed sponsored R&D

- Reference to sequence listing, a table, or a computer program listing appendix

- Background of the Invention

- Brief Summary of the Invention

- Brief Description of the Drawings (if filed)

- Detailed Description

- Claim(s)

- Abstract of the Disclosure

☒ Drawing(s) (35 USC 113)

[Total Sheets / 7 /]

5. ☒ Oath or Declaration

[Total Pages / 5 /]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 17 completed)

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission

(if applicable, all necessary)

a. ☒ Computer Readable Form (CRF)

b. ☐ Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☒ paper

c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney

(when there is an assignee)

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure ☐ Copies of IDS

Statement (IDS)/PTO-1449 Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)

(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)

(if foreign priority is claimed)

16. ☒ Other: Check in the amount of \$355; Request and Certification Under 35 U.S.C. 122 (b) (2) (B) (i)

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation

☐ Divisional

☐ Continuation-in-part (CIP)

of the prior application No: 08/552,369

Prior application information: Examiner: Laurie Scheiner

Group/Art Unit: 1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

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"Express Mail" Mailing Label Number EE209745965US

Date of Deposit June 4, 2001

FEE TRANSMITTAL

for FY 2001

Patent Fees are subject to annual revision.

Application Number

Filing Date

June 4, 2001

First Named Inventor

Scott, et al

Examiner Name

Group/Art Unit

TOTAL AMOUNT OF PAYMENT

(\$ 355.00)

Attorney Docket Number

18617.NEW

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

3. ADDITIONAL FEES

Deposit Account Number: 08-2442
Deposit Account Name:
Hodgson Russ LLP

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

105	130	205	65	Surcharge - late filing fee or oath	\$
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☒ Applicant claims small entity status. See 37 CFR 1.27.

127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
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2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

139	130	139	130	Non-English specification	\$
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FEE CALCULATION

147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	\$
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1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$
113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$
101	210	201	355	Utility filing fee	\$ 355
106	320	206	160	Design filing fee	\$
107	450	207	245	Plant filing fee	\$
108	710	208	355	Reissue filing fee	\$
114	150	214	75	Provisional filing fee	\$
SUBTOTAL (1)					\$ 355

2. EXTRA CLAIM FEES

Extra Fee from Claims below

Fee Paid

Total Claims	/ / -20** = / / x / / =	\$	121	270	221	135	Request for oral hearing	\$			
Independent Claims	/ / - 3** = / / x / / =	\$	138	1,510	138	1,510	Petition to institute a public use proceeding	\$			
Multiple dependent	/ / x / / =	\$	140	110	240	55	Petition to revive - unavoidable	\$			
Large Entity Small Entity			141	1,240	241	620	Petition to revive - unintentional	\$			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description							
142	1,240	242	620	10 advance copies Utility issue fee (or reissue)	\$						
103	18	203	9	Claims in excess of 20	\$	143	440	243	220	Design issue fee	\$
102	80	202	40	Independent claims in excess of 3	\$	144	600	244	300	Plant issue fee	\$
104	270	204	135	Multiple dependent claim if not paid	\$	122	130	122	130	Petitions to the Commissioner	\$
109	80	209	40	**Reissue independent claims over original patent	\$	123	50	123	50	Processing fee under 37 CFR 1.17(g)	\$
110	18	210	9	**Reissue claims in excess of 20 and over original patent	\$	126	180	126	180	Submission of Information Disclosure Statement	\$
SUBTOTAL (2)				\$ 0		581	40	581	40	Recording each patent assignment per property (times number of properties)	\$

SIGNATURE:



Ranjana Kadle

Reg. No. 40,041

DATE: June 4, 2001

Telephone: (716) 848-1628

Express Mail® Mailing Label Number: EE209745965US

Date of Deposit June 4, 2001

146	710	246	355	Filing a submission after final rejection(37 CFR 1.129(a))	\$
149	710	249	355	For each add'l invention to be examined(37 CFR 1.129(b))	\$
179	710	279	355	Request For Continued Examination (RCE)	\$
169	900	169	900	Request for Expedited Examination of a design appln.	\$

*Reduced by basic filing fee paid


SUBTOTAL (3)

\$ 0

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b) (2) (B) (i)	First Named Inventor		Scott, et al
	Title	Recombinant Multivalent Viral Vaccine	
	Atty Docket Number		18617.NEW

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 4, 2001
Date


Signature

Ranjana Kadle
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b) (2) (B) (iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott, et al

Serial No.: Not yet assigned

Filed: Herewith

For: Recombinant Multivalent Viral Vaccine

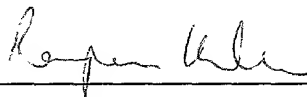
LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant declares that the Paper Copy of the Sequence Listing and the Computer Readable Copy filed with the above-referenced patent application are the same.

Respectfully Submitted,



Ranjana Kadle
Reg. No. 40,041

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June 4, 2001